

In Our View: Dorn Takes Bold Step

State schools chief's lawsuit over levies effort to push Legislature into action

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Randy Dorn, the state superintendent of public instruction, has turned up the heat on the Legislature in the pressure cooker that is school funding in Washington. And while his methods might seem counterintuitive, the provocative action has a long-term goal of providing adequate education for all public-school students in the state.

Last week, Dorn — who is not seeking re-election after two terms in office — filed a lawsuit against seven large school districts, including Evergreen Public Schools. The gist: The districts are unlawfully using local tax levies to pay for basic education necessities such as teacher salaries.

Suing local districts might seem an odd way to put pressure on lawmakers in Olympia, but it does make sense in the convoluted climate created by the 2012 state Supreme Court ruling in *McCleary v. Washington*. That ruling deemed that state government has not lived up to its constitutional mandate of providing for basic education. Because the Legislature has not provided adequate funding, individual districts use locally approved levies to supplement their funding — a situation that leads to vast disparities between districts throughout the state.

“The bottom line is, what’s stated in the suit is pretty accurate,” Evergreen Superintendent John Deeder said. “It’s just that the Legislature hasn’t given us any choice.”

Although the *McCleary* decision was issued four years ago, lawmakers have been slow to pay attention. They increased funding during the 2013 and 2015 budget-writing sessions, but this year took steps only to determine how much more money is necessary — something they should have began working on in 2012. Preliminary estimates are that an additional \$3 billion to \$4 billion will be required, and the deadline is 2018.

For nearly a year, the Legislature has been held in contempt by the Supreme Court, which handed down a fine of \$100,000 a day until an adequate spending plan is created. Last week, the justices ordered representatives of the state to appear in court Sept. 7 to justify why their latest plan should be deemed acceptable.

The fact is that the work of lawmakers — and Gov. Jay Inslee — has not been acceptable. School districts still are forced to rely upon local levies to pay for basic education, which is a clear violation of the *McCleary* mandate. According to the lawsuit filed by Dorn, the state provides an average of \$52,944 for teacher salaries, but local levies add an additional \$13,661 per teacher. For administrators, local levies account for 92 percent of salaries. Districts in wealthy areas are better able to pay for teachers, administrators, and educational materials, creating an inequity between districts that runs counter to the state constitution.

The crux is that the McCleary mandate did not insist that more money needs to be spent in total; it stated that more money must come from the state, and then local voters can decide how much to spend on levies for add-ons to basic education.

Given the Legislature's lack of attention to the issue, Dorn's lawsuit is a welcome turn of the screw, even if its necessity is unfortunate. The next step is for districts, taxpayers, and voters to also apply pressure upon lawmakers who have decried the situation or opted to ignore it. As Dorn wrote, "Instead of blaming the messenger, critics should demand legislators and the governor fulfill the constitutional obligations they have shirked for too many years."